

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GERARD A. SABATKA,

Plaintiff,

vs.

NRG ENERGY, INC., a foreign
corporation;

Defendant.

8:15CV310

AMENDED PROGRESSION ORDER

Defendant filed an unopposed motion to extend certain case progression deadlines.
([Filing No. 21](#)).

IT IS ORDERED that the amended progression order is as follows:

- 1) The jury trial of this case is set to commence before John M. Gerrard, United States District Judge, in the Special Proceedings Courtroom, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at **9:00 a.m. on July 31, 2017**, or as soon thereafter as the case may be called, for a duration of four (4) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **July 18, 2017 at 11:00 a.m.**, and will be conducted by WebEx conferencing. Instructions and codes for participating in the pretrial conference by WebEx may be found at Filing No. 12. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on July 14, 2017.
- 3) A telephonic conference with the undersigned magistrate judge will be held on **March 7, 2017 at 2:00 p.m.** to discuss the status of case progression and potential settlement. Counsel for plaintiff shall place the call.
- 4) The deadline for completing written discovery under Rules 33 through 36

of the Federal Rules of Civil Procedure is January 13, 2017. Motions to compel Rule 33 through 36 discovery must be filed by January 23, 2017
Note: The Parties are reminded, Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 5) The deadline for Defendant to disclose expert and reports (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is: December 9, 2016.
- 6) The deposition deadline is February 17, 2017.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is April 17, 2017.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is March 17, 2017.
- 9) Motions in limine shall be filed five business days prior to trial.
- 10) Further extensions will not be granted absent a showing of good cause.

August 2, 2016.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge